IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPLICATION NO.5927 OF 2005

Vijay Govind Patkar ...Applicant
Vs.
The State of Maharashtra ...Respondent

Shri. Raj J. Khude for the Applicant.
Shri. A.S. Gadkari, A.P.P. for the Respondent.

CORAM : A.S.OKA, J.
DATED : SEPTEMBER 16, 2005.

P.C.:

1. Heard the Advocate appearing for the Applicant and the learned A.P.P. for the State.

2. The offence alleged against the Applicant is under sections 376 and 506 of the Indian Penal Code. The allegation against the Applicant is as regards commission of offence against his own daughter aged fourteen years.

3. I have perused the relevant papers. Delay in filing the F.I.R. in an offence like this will not be by itself a ground to defeat the prosecution. Apart from this, there appears to be explanation for delay in the statement of the prosecutrix. In the light of the consistent version of the prosecutrix and the wife of the Applicant, inconclusive medical report may not be relevant at this stage. In my view, there is sufficient material on record to show complicity of the Applicant at this stage in offence of heinous nature. No case is made for enlarging the Applicant on bail. Accordingly, Application is rejected.

JUDGE